

Application No. 09/775,953
Amendment "B" dated December 16, 2004
Reply to Office Action mailed June 29, 2004

REMARKS

Applicants thank the Examiner for the interview conducted with applicants' representative. The claims have been amended as discussed at the interview, and reconsideration in view of the amendments and matters discussed, and these remarks, is respectfully requested.

By this paper, claims 1, 2, 4 - 6, 8 - 22 and 32 - 34 are presented for reconsideration. Of those claims, the independent method claims are 1 (with dependent claims 2, 4, 6, 8 and 9), 10 (with dependent claims 11 - 17) and 18 (with dependent claims 19 - 22). Three new independent claims (32 - 34) define computer program products corresponding to the independent method claims.

Applicants' claimed method (and computer program product) are adapted for use in a system where a device synchronizes with one or more synchronization partners. In particular, applicants' invention addresses, and solves, the problem that occurs when a delete request for an object stored on the device can possibly result in an inadvertent deletion of corresponding objects from stores of one or more synchronization partners when later synchronizing the device with those synchronization partners. Thus, applicants' claimed invention is directed to a "method for deleting an object from a store of the device without causing an inadvertent deletion of the corresponding objects on any of the synchronization partners."

As presented in the claims, the method is comprised of synchronizing the device with a first synchronization partner, and while doing so using a filter that excludes an object so that it is not synchronized at the device, thereby targeting that object for deletion at the device. A request is then made that the targeted object be deleted from the device. Thereafter, in response to the requested deletion of the targeted object, it is determined whether other synchronization partners are synchronizing the targeted object, and if it is determined that either the targeted object is not being synchronized with the any of the other synchronization partners, or that none of the other synchronization partners object to the requested deletion, then proceeding with deletion of the targeted object from the device, but otherwise, not deleting the targeted object from the device even though it is no longer synchronized with the first synchronization partner.¹

¹ The other independent claims are similar. Claim 10 defines the method as

"while synchronizing the device store with a first synchronization partner, using a filter that excludes an object so that it is not synchronized at the device, and thereby targeting that object for deletion at the device store;

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In this manner, any inadvertent deletion from other synchronization partners is prevented during later synchronization with them.

In the Office Action claims 1-31 were rejected as obvious under 35 U.S.C. § 103(a) over Ulrich (U.S. Patent No. 6,052,735).² As noted at the interview, Ulrich does not at all address the problem that is solved by applicants' claimed method.

Ulrich is principally directed to allowing the user of a mobile device to dynamically retrieve individual electronic mail message attachments on a per message basis. In other words, "it may be desirable for the user of the mobile device to receive only certain attachments to electronic mail messages, chosen by the user dynamically on an ad hoc basis, or chosen according to preselectable filtering criteria [e.g., size of the attachment, for example]." Col. 2, lines 55 - 59.

Ulrich also discloses filtering options to prevent unwanted duplication and proliferation (but *not inadvertent deletion* as in applicants' claimed invention) of messages when the mobile device is synchronized with desktop computers at both home and work. Cols. 14, 14, lines 67, 1-2. As disclosed, for example, at col. 15, lines 3 - 18:

[S]ynchronization manager 110 [of a desktop computer 4] is configured to generate a list which identifies new objects that have been added to object store 6 on mobile device 3.

sending a soft delete request for the targeted object from a first sync module at the device to a sync manager of the device, wherein the first device sync module is associated with the first synchronization partner;

thereafter, in response to the soft delete request for the targeted object, the sync manager determining whether any other synchronization partner is synchronizing the targeted object; and deleting the targeted object from the device store only if no other synchronization partner is synchronizing the object."

Claim 18 defines the method in terms of

"as a result of synchronizing the device store with a store of a first synchronization partner, generating a soft delete request for a targeted data object at the device store;

querying all other synchronization partners of the device to determine if the targeted data object is synchronized by any of the other synchronization partners;

granting the soft delete request only if

no other synchronization partner is synchronizing the targeted data object, and

no other synchronization partner denies permission for the soft delete request, and otherwise,

denying the soft delete request."

² Although the prior art status of the cited art is not being challenged at this time, applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

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In one preferred embodiment, synchronization manager 110 is also configured to determine whether those new objects are contained in the in-box of mobile device 3. If so, that means that mobile device 3 has an electronic mail message in its in-box where no corresponding mail message is in the in-box of desktop computer 4 (because the object associated with the message in the in-box of the mobile device 3 does not correspond to an object in the object store 8 on the desktop computer 4). *If that is the case, synchronization manager 110 [of desktop computer 4] simply does not synchronize that object, and hence does not copy the mail message from the in-box of mobile device 3 to the desktop computer 4.*" (Bracketed statements and emphasis added).

Thus, as will be appreciated, Ulrich is manifestly different from the applicants' claimed method for preventing inadvertent deletion of objects from multiple synchronization partners, during subsequent synchronization between a mobile device and those multiple partners.³ And while the Examiner properly indicated at the interview that he would again review the cited art and update the search prior to making a final decision, nonetheless it was noted in the Interview Summary that the proposed amendment to "independent claims 1, 18 and 31 to more clearly focus on the method of avoiding inadvertent deletion of targeted objects when later synchronizing with partners . . . appears to distinguish the claims." Accordingly, as presented for reconsideration, applicants' claimed method and computer program product is neither anticipated nor made obvious by Ulrich, either singly or in combination with any other reference of record. Favorable reconsideration and allowance are thus respectfully requested.


³ Indeed, this was acknowledged by the Examiner in the prior or first Office Action, at page 4, where the Examiner noted that "Ulrich et al. do not explicitly teach deleting objects from the mobile store without deleting the corresponding objects [from the] synchronization partner (desktop computer)." (Emphasis in the original, bracketed statement added). It was for this reason that Alam et al., a secondary reference, was cited in the prior Office Action in combination with Ulrich to assert an obviousness rejection. Alam et al. was later shown by applicants in their reply to the first Action to not constitute a qualifying reference. And, as noted above, not only does Ulrich et al. not explicitly teach any solution to the problem addressed by applicants' claimed invention, but it likewise does not suggest or in any way imply any solution to that problem.

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In the event that the Examiner finds any remaining impediment to allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 16th day of December, 2004.

Respectfully submitted,


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Dated this 16th day of December, 2004.

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